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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,460	12/12/2003	Vilas M. Chopdekar	JFCT-1-03 (CIP)	9696

7590 10/04/2006

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EXAMINER

PADMANABHAN, SREENIVASAN

ART UNIT	PAPER NUMBER
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1617

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

The request for deferral/suspension of action under 37 CFR 1.103 has been approved.



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In re Application of :
Vilas M. Chopdekar et al :
Serial No.: 10/734,460 : SUSPENSION OF ACTION
Filed: December 12, 2003 :
Attorney Docket No.: JFCT-1-03 :

This is in reply to the petition under 37 CFR 1.103 to suspend action in this application at applicant's request for a period of six months, filed September 19, 2006.

BACKGROUND

Applicants request prosecution in this application be suspended for a period of up to six months in order to conduct and complete experiments designed to overcome a reference applied against the claims. Delay in conducting the experiments has been occasioned by the need to obtain approval for purchase of controlled substances used in the experiments from the Drug Enforcement Agency (DEA).

DISCUSSION

§ 1.103 Suspension of action by the Office.

- (a) Suspension for cause. On request of the applicant, the Office may grant a suspension of action by the Office under this paragraph for good and sufficient cause. The Office will not suspend action if a reply by applicant to an Office action is outstanding. Any petition for suspension of action under this paragraph must specify a period of suspension not exceeding six months. Any petition for suspension of action under this paragraph must also include:
- (1) A showing of good and sufficient cause for suspension of action; and
 - (2) The fee set forth in § 1.17(h), unless such cause is the fault of the Office.

Applicants have replied to the best of their ability to the outstanding Office action and indicated in their response that additional testing is needed to demonstrate that the compounds taught by the references, GB '609 specifically, are different from those claimed. In order to make such demonstration the compounds of GB '609 must be prepared and in order to make such preparations specific controlled substances must be acquired. Permission to acquire research quantities of the controlled substances must be granted first by the DEA and applicants present evidence of their efforts to obtain the required permission. Applicants have shown good and sufficient cause for suspending prosecution in this application.

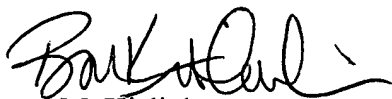
It is noted that this application was previously granted "special status" based on prospective manufacture. In view of the grant of suspension of prosecution the grant of "special status" is withdrawn.

DECISION

In view of the above the petition for suspension of action is **GRANTED** for a period of six months from the date of mailing of this decision.

Should applicants complete their testing prior to the expiration of the period of suspension, a submission of the results should be promptly forwarded to the Office so that prosecution may be resumed.

Should there be any questions with respect to this action, please contact the examiner or William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission at Office general facsimile number, 571-273-8300.



Bruce M. Kisliuk
Director, Technology Center 1600